

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

Minutes
29/30 January 2004
460th Regular Meeting
Central Valley Regional Water
Quality Control Board
11020 Sun Center Drive
Rancho Cordova, CA 95670

THURSDAY, 29 JANUARY 2004

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Alson Brizard, Robert Fong, Cher Kablanow, Christopher Cabaldon, Members

BOARD MEMBERS ABSENT

Beverly Alves, Lucille Palmer-Byrd

OTHERS PRESENT

Gail Delihant, Assm. Aghazarian's Office
Debra Denton, U.S. EPA
Tom Maurer, U.S. Fish & Wildlife
Susan Ramos, U.S. Bureau of Reclamation
Gene Lee, U.S. Bureau of Reclamation
Brian Staab, U.S. Forest Service
Steve Bishop, U.S. Forest Service
David Cory, Des Jardins Ranch
Mark Biddlecomb, Ducks Unlimited
Bill Thomas, South SJ Watershed Group
John Meek, Delta Water Quality Coalition
Cindy Paulson, Brown and Caldwell
Tim O'Laughlin, SJ Tributary Association
Michael Sexton, Exchange Contractors
John Herrick, South Delta Water Agency
Karna Harrigfeld, Stockton East Water District
Jared Huffman, NRDC
Lisa Holm, Contra Costa Water District
Jeff Pelz, West Yost & Associates
Chris Malone, West Yost & Associates
Paul Simmons, City of Galt
Tom Malson, City of Galt

Darryl Clare, City of Galt
John Griffin, City of Galt
David Brathwaite, City of Redding
Brad Fuller, City of Redding
Barry DeWalt, City of Redding
Patrick Stone, City of Redding
Phil Perry, City of Redding
Kristen Castanos, County of Sacramento
Steve Nabozuk, County of Sacramento
Wendell Kido, County of Sacramento
Ervin Rifenburg, Woodbridge Partners
R.M. Jones, Woodbridge Partners
Ron Stickney, Dale Construction
James Underwood, Dale Construction
Clifford Goehring, Mokelumne River School
Rod Davenport, SRWTD
Jim Nelson, Dept of Fish and Game
Chris Leininger, Leininger Ranch
Mick Berklich, City of Turlock
Mr. Cleininger

PUBLIC FORUM

Darryl Claire, Mayor, City of Galt. Mr. Claire discussed the process of obtaining an NPDES Permit. He stated that enormously complicated issues and high costs are involved; yet only a few minutes of time for testimony are allocated. Mr. Claire suggested that individual Board members attend technical meetings on complex permits to act as liaison to the full Board.

BOARD COMMUNICATION

Al Brizard reported that he had attended the following meetings of Agricultural Coalitions: two meetings of the South San Joaquin Valley Coalition, two meetings of the West Side Coalition, four meetings of the East Side Coalition, and one meeting each of the Delta and Woodland-area Coalitions.

Cher Kablanow reported that she had attended an Agricultural Coalition meeting.

Christopher Cabaldon reported that he had received confirmation by the State Senate. Also, he anticipated being appointed to the Sacramento-Yolo Port District shortly.

Chairman Schneider reported that he

- Along with Celeste Cantu, had attended a meeting with the NRCS to discuss funding of agricultural issues.
- Attended a meeting of the Sacramento Valley Water Quality Coalition in Woodland.
- Met Tim O'Halaran during a meeting at the Yolo County Flood Control District and talked about Ag Waiver issues.
- Met the Mayor of the City of Redding during an unrelated meeting and declined to talk with him about Redding ACL issues.
- Attended an Agricultural Subcommittee meeting with staff, discussing the direction of the Ag Waiver program. The next possible meeting is 18 February, at which time they should review how the Board is communicating with individuals and Coalitions in the waiver programs.

EXECUTIVE OFFICER'S REPORT

A written response to Al Brizard's e-mailed questions was provided to the Board members.

Karl Longley (Wineries, Summary of Recent Activity, Item 14) requested that Board members get back to the Executive Officer with any questions or comments on the proposed decision tree in the Wine Institute report.

ELECTION OF CHAIR AND VICE CHAIR

Al Brizard and Cher Kablanow reported that between them they had interviewed each Board member concerning the election of the Chair for 1994. Based on their interviews they proposed that Robert Schneider be reelected as Chair, and Karl Longley be reelected as Vice Chair. Cher Kablanow moved and Chris Cabaldon seconded reelection of Mr. Schneider and Dr. Longley as Chair and Vice Chair. Motion carried.

RESOLUTION FOR FORMER BOARD MEMBER

A resolution was adopted by the Board commending Mr. Mark Salvaggio for his service.

ENFORCEMENT

City of Galt and Roman Catholic Bishop of Sacramento, Wastewater Treatment Plant and Reclamation Facility, Sacramento County – *Consideration of NPDES Permit Renewal and Cease and Desist Order*

A public hearing was held. Lincoln King and Patricia Leary presented the staff report. Additional testimony was given by Tom Malson, Darryl Clare, and Chris Malone.

R5-2004-0001

MOTION:

By Mr. Longley, seconded by Mr. Schneider to adopt the proposed NPDES order. Approved with Mr. Cabaldon voting no.

R5-2004-0002

MOTION:

By Mr. Longley, seconded by Mr. Schneider to adopt the proposed Cease and Desist order. Approved by role call vote, with Mr. Cabaldon voting no.

WASTE DISCHARGE REQUIREMENTS

Sacramento County, Boys Ranch, Sacramento County – *Consideration of Revised Waste Discharge Requirements*

Wendy Wyels presented the staff report. Additional testimony was given by Anne Olson and Kristin Castanos.

R5-2004-0003 MOTION: By Mr. Longley, seconded by Ms. Kablanow to adopt the proposed order. Unanimously approved.

ENFORCEMENT

Woodridge Partners, Inc., Victor Fine Foods Facility, Lodi, San Joaquin County – *Consideration of Cease and Desist Order*

A public hearing was held. Ross Atkinson presented the staff report. Additional testimony was given Irv Griffenberg and Victor Izzo.

R5-2004-0004 MOTION: By Mr. Cabaldon, seconded by Mr. Longley to adopt the proposed order. Unanimously approved by role call vote.

County of San Joaquin and Foothill Sanitary Landfill, Inc., Foothill Sanitary Landfill, San Joaquin County – *Consideration of Administrative Civil Liability Order*

This item was removed from the agenda. The discharger and staff are in discussions to settle this matter.

OTHER BUSINESS

The Board met in closed session to discuss ongoing litigation.

Mr. Schneider announced in open session that agenda item 19, **AKT Development Corporation and Sunridge Development L.L.C., Sacramento County - *Consideration of Administrative Civil Liability Order***, had been referred to the Attorney General in closed session and is removed from the agenda.

EMPLOYEE AWARDS

The Superior Accomplishment Award was presented to Wendy Wyels, of the Sacramento office, and the Customer Service Award was presented to Scott Zaitz, of the Redding office.

ENFORCEMENT

City of Redding, Redding Sports Park, Shasta County — *Consideration of Administrative Civil Liability Order*

Carol Crowe and Jim Pedri presented the staff report. Additional testimony was presented by Barry DeWalt, Tom Braithwaite, James Nelson and Jim Fuller.

R5-2004-0005 MOTION: By Mr. Cabaldon, seconded by Mr. Longley to adopt the proposed order. Unanimously approved.

FRIDAY, 30 JANUARY 2004

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Alson Brizard, Robert Fong, Cher Kablanow, Lucille Palmer-Byrd, Members

BOARD MEMBERS ABSENT

Beverly Alves, Christopher Cabaldon

PUBLIC FORUM

Brian Staab, US Forest Service, described the USFS Healthy Forest Initiative, the importance of BMP selection and implementation, the Categorical Exclusion process, public review and agency collaboration, and water quality research and protection. Chairman Schneider said that staff need to look extremely closely at Categorical Exclusions and use of the Timber Waiver.

John Minks, Delta Water Quality Coalition, discussed a recent Coalition meeting at which funding and the April Ag Waiver submittals were discussed. Initial response from Board staff indicated the NOI submitted “looked good”. Proposed legislation being carried by Senator Machado would provide \$1/acre of funding for Ag Waiver monitoring.

OTHER BUSINESS

The 5 December 2003 minutes were approved as amended.

UNCONTESTED CALENDAR

Dicalite Minerals Corporation, Shasta County - *Consideration of NPDES Renewal and Cease and Desist Order*

A public hearing was held. No one appeared to contest the proposed orders.

R5-2004-0006	MOTION:	By Mr. Longley, seconded by Ms. Kablanow to adopt the proposed NPDES order. Unanimously approved.
R5-2004-0007	MOTION:	By Mr. Longley, seconded by Ms. Kablanow to adopt the proposed Cease and Desist order. Unanimously approved by role call vote.

City of Orange Cove, Wastewater Treatment Facility, Fresno County – *Consideration of Waste Discharge Requirements and Cease and Desist Order*

A public hearing was held. No one appeared to contest the proposed orders.

R5-2004-0008	MOTION:	By Mr. Longley, seconded by Ms. Kablanow to adopt the proposed Waste Discharge Requirements. Unanimously approved.
R5-2004-0009	MOTION:	By Mr. Longley, seconded by Ms. Kablanow to adopt the proposed Cease and Desist order. Unanimously approved by role call vote.

John and Mary Lynch (dba Village Market), Tulare County – Consideration of Rescinding Cleanup and Abatement

A public hearing was held. No one appeared to contest the proposed order.

R5-2004-0010 MOTION: By Mr. Brizard, seconded by Mr. Longley to adopt the proposed rescission. Unanimously approved.

Uncontested NPDES Permits

R5-2004-0011 a. City of Taft, Taft Federal Prison Wastewater Treatment Facility, Kern County
R5-2004-0012 b. Collins Pine Company, Chester Sawmill, Plumas County

A public hearing was held. No one appeared to contest the proposed orders.

MOTION: By Mr. Brizard, seconded by Mr. Longley to adopt the proposed orders. Unanimously approved.

Uncontested Change of Name and/or Ownership

- a. Mountain Gate RV Park, Shasta County
- b. Sacramento River RV Park, Shasta County
- c. Mathews Readymix, Inc., Anderson Plant, Shasta County
- d. Charles M. Somers, Clay Station 1200 Subdivision, Sacramento County

A public hearing was held. No one appeared to contest the proposed order.

R5-2004-0013 MOTION: By Mr. Brizard, seconded by Mr. Longley to adopt the proposed order. Unanimously approved.

Uncontested Rescissions

- a. County of Lake Resources Management, Geo Ag Heat Center & Property Owners Neasham, Et Al., Lake County
- b. California Department of Health Services, Fairfield Animal Facility, Solano County
- c. City of Hanford, Wastewater Treatment Facility
- d. Amador Water Agency & Aubrey Trust, Mokelumne Bluffs Wastewater Treatment Plant, Amador County,
- e. Ernie Gaddini, Ernie Gaddini WWTF, Yolo County
- f. William and Darla K. Schappell, Lakeshore Resort, Incorporated dba Lakeshore Marina and Ross and Charlotte Marshall dba Lakeshore Inn and RV, and U.S. Department of Agriculture, Forest Service, Shasta County
- g. GWF Power Systems, L.P., Wilbur Avenue West Power Plant, Contra Costa County
- h. Big Valley Lumber Company, Lassen County
- i. Adobe Creek Packing Company, Inc., Lake County

A public hearing was held. No one appeared to contest the proposed order.

R5-2004-0014 MOTION: By Mr. Longley, seconded by Mr. Brizard to adopt the proposed order. Unanimously approved.

Uncontested Waste Discharge Requirements

R5-2004-0015 a. Cottonwood Investors, Inc., Cottonwood Plaza, Enhanced Bioremediation Pump and Treat System, Yolo County

- R5-2004-0016** b. Mencarini and Jarwin, Inc. dba Chrome Craft, Former Chrome Craft Facility, Enhanced Bioremediation Pilot Study, Sacramento County
- R5-2004-0017** c. Miller Springs Remediation Management, Inc., Former Winton Facility, Enhanced Bioremediation Project, Merced County
- R5-2004-0018** d. M&L Commodities, Formerly Southwest Hide Company, for Corrective Action and Post-Closure of Southwest Hide Wastewater Ponds, San Joaquin County
- R5-2004-0019** e. Resolution Approving Industrial Pretreatment Program, City of Tulare, Wastewater Treatment Facility, Tulare County
- R5-2004-0020** f. Browns Valley Irrigation District, Pineland Development Company, Inc., Collins Lake Recreational Area, Yuba County
- R5-2004-0021** g. City of Vacaville, Gibson Canyon Creek Wastewater Treatment Plant, Closure and Corrective Action, Solano County
- R5-2004-0022** h. County of Nevada Department of Transportation and Sanitation, McCourtney Road Landfill, Class II Surface Impoundments and Closed Class III Landfill, Nevada County
- R5-2004-0023** i. County of Sacramento, Public Works Agency and U.S. Army Corps of Engineers, Grand Island Class III Landfill, Post Closure Maintenance, Sacramento County

A public hearing was held. No one appeared to contest the proposed orders.

MOTION: By Mr. Longley, seconded by Mr. Brizard to adopt the proposed orders. Unanimously approved as amended.

AKT Development Corporation and Sunridge Development L.L.C., Sacramento County - *Consideration of Administrative Civil Liability Order*

Chairman Schneider announced that, due to the lack of a quorum of Board members who could hear this item, the Board was not be able to proceed with a hearing on this issue as scheduled on 30 January 2004. Instead, the Board met in Closed Session on 29 January 2004 and referred the matter to the Attorney General for civil enforcement.

Proposed Amendment to the Sacramento River and San Joaquin River Water Quality Control Plan for the Control of Salt and Boron Discharges into the San Joaquin River-- *A Continuation of the Dec 5th, 2003 Workshop*

Eric Oppenheimer and Les Grober presented the staff report. Additional information was given Debra Denton, Cindy Paulson, Tim O’Laughlan, Michael Sexton, Jared Huffman, John Herrick, David Cory, Susan Ramos, Karna Harigfeld, and Tom Maurer. This was for the Board’s information only. The Board took no action.

Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands Within The Central Valley Region – *Information Report*

Bill Croyle and Shakoor Azimi Gaylon presented the staff report. Additional information was given by Bill Thomas, Mark Biddlecomb, and David Cory. This was for the Board’s information only. The Board took no action.

OTHER BUSINESS

The Board met in closed session to discuss ongoing litigation.

Budget and Regional Board Priorities Discussion – *Status Report*

Richard Loncarovich and Ken Landau presented the staff report. This was for the Board’s information only. The Board took no action.

The meeting was adjourned to the 18/19 March 2004 regular meeting.